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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SAN JOSE DIVISION

E-FILED - 7/24/07

Alon Konchitsky,

Plaintiff,

vs.

Michael Chertoff, Secretary, Department of

Homeland Security; Emilio T. Gonzalez,

Director, United States Citizenship and

Immigration Services; Christina Poulos,

Director California Service Center, United

States Citizenship and Immigration

Services

Defendants.

Case No.: C 07-0294 RMW

**STIPULATION TO EXTEND DATE OF
CASE MANAGEMENT CONFERENCE
AND [] ORDER**

The plaintiff, by and through his attorney of record, and defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to extend the date of the case management conference, which is currently scheduled for July 27, 2007 at 10:30 AM in light of the following:

1. The plaintiff filed an action on January 17, 2007, asking this Court to direct the United States Citizenship and Immigration Services (USCIS) to adjudicate his I-485 application.

2. The defendants filed a motion to dismiss on March 27, 2007.

3. At a hearing on the defendants' motion to dismiss held on July 6, 2007, the Court denied the defendants' motion to dismiss with respect to the Department of Homeland Security and the USCIS and granted it with respect to defendant FBI and directed plaintiff and defendants to file cross motions for summary judgment for hearing on September 14, 2007 at 9:00 AM.

4. A case management conference has been scheduled on July 27, 2007 at 10:30 AM.

5. The parties ask this Court to schedule the case management conference on September 14, 2007 after the hearing on cross motions for summary judgment, if needed, or as soon thereafter as may be practicable.

Dated: July 19, 2007

_____/s/_____
Judith Michaels Morrow
Attorney for Plaintiff

Dated: July 19, 2007

_____/s/_____
Ila C. Deiss
Assistant United States Attorney
Attorney for Defendants

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the Case Management Conference be continued to November 16, 2007 AT 10:30 a.m.

Dated: July 24, 2007



RONALD M. WHYTE
United States District Court